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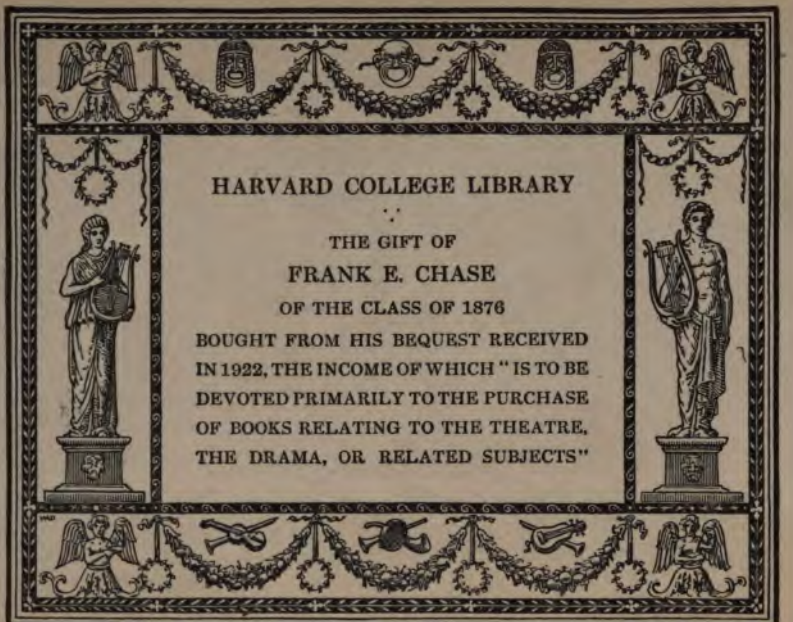
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TOO HAPPY BY HALF.

COMEDY IN ONE ACT,

BY

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SEPT. 1, 1919

"TOO HAPPY BY HALF."

First produced at the St. James's Theatre, 5th January, 1895.

CHARACTERS.

ERIC VERNER	MR. H. V. ESMOND.
JACK FORTESCUE	MR. ARTHUR ROYSTON.
MARY VERNER	MISS EVELYN MILLARD
JAMES (*Page Boy*)	MR. E. BENHAM.

TIME: THE PRESENT DAY.
PLACE: A HOUSE IN THE COUNTRY BELONGING TO VERNER

TOO HAPPY BY HALF.

SCENE.—*A morning room in a country house prettily furnished. Two doors at back opening on to garden. Side doors to right and left leading to other rooms. To the right, and near the audience, a piano and a large china vase upon it. On the same side and almost facing the audience a sofa. To left and opposite the sofa an embroidery frame, and a worsted work chair, table, chairs, arm-chair, etc.*

(*When the curtain rises,* ERIC, *in gorgeous dressing suit, is lying asleep and snoring on the sofa.* MARY, *in pretty morning dress, is seated in front of her embroidery frame, and, with uplifted needle, looks at her sleeping husband.*)

MARY. (*pettishly pushing away the embroidery frame*) Sound asleep again, and snoring, I declare!

ERIC. (*waking with a start*) Eh, what?

MARY. I'm sure I'm very sorry, dear, to wake you from so sound a sleep.

ERIC. I—I wasn't asleep! I was only thinking!

MARY. (*tenderly*) I should so like to see you perfectly happy, darling. I'm afraid you find it dull here.

ERIC. (*yawning*) Dull—I? Why, certainly not, love; quite the reverse.

MARY. Do you really, really mean it, dearest?

ERIC. Dull! How could I find it dull? Isn't our life here one stream of maddening gaiety, love? One ceaseless round of excitement and pleasure? First of all, when we get up in the morning, don't we have a nice little stroll in the garden before breakfast? And then after breakfast, don't we have another nice long ramble through the garden until luncheon time? And then after lunch don't we have a nice lounge in the garden till dinner time, and then in the even-

ing, after dinner, don't we just step out into the garden again to——

MARY. Oh, I see what you mean! You don't love me any more!

ERIC. There you are again, Mary, always rushing to extremes. Do you think a man can't love and—and—(*yawns*) yawn, darling?

MARY. (*bursting into tears*) Oh! I'm the most unhappy girl in the world!

ERIC. (R.C. *aside*) Ah! by Jove! (*going round* R. *of sofa and cross back of it*) The waterworks! I'm off!

MARY. (*going up, cross* C. *and standing before him*) Oh, Eric, what have I done?

ERIC. Nothing, my darling. Nothing! Only I can't bear to see anyone crying!

MARY. (*resolutely*) Eric!

ERIC. Mary!

MARY. We had better have a thorough explanation at once!

ERIC. Explanation! What about?

MARY. Yes, we really must. This time I've quite made up my mind! Eric (*moving him to sit on sofa*) we've now been married six months—six months yesterday.

ERIC. (*sits on sofa*) Six months! Surely not so long as that, darling.

MARY. (*sits on his* L.) And all this time we have been living quite alone, you and I together, undisturbed and hidden away from the world in this dear, darling little place of yours in Wales, haven't we?

ERIC. We have, indeed, love.

MARY. With not a living soul coming near us to disturb us——

ERIC. Not a soul!

MARY. And haven't I all this time been a tender and affectionate little wife to you, you old monster?

ERIC. Yes, sweetest, you have.

MARY. And yet, notwithstanding all this, you are unhappy.

ERIC. Unhappy!

MARY. There must be an end to all this. (*rise, cross* L.)

ERIC. To all what?

MARY. Take back your vows!

ERIC. Vows! What vows?

MARY. What vows, indeed? So they were nothing but meaningless words, then, when you swore at the altar to love me and cherish me till death us do part! Ah, you *did* love me then, Eric!

ERIC. (*rise and cross to her*) And I love you now, my my darling, just the same.

MARY. Of course you say so!

ERIC. I swear it on my honour.

MARY. It isn't true. I've seen this dreadful change coming for a long time past. I've seen you getting by degrees as cold as an icicle, and oh! so disagreeable sometimes! You're dying to get away from this dear, darling place, only you're ashamed to say so! You mustn't stay here because you think I want to. Let's leave at once. (*moves up and down*) You'll be happier then—you thought you loved me, and I thought so too—we were both mistaken, that's all! Let's go back to that horrible London at once, and begin going to all those horrible balls and (*cross* L.) parties again every night, never having a moment to ourselves, and then—then I suppose you will be happy! (*she weeps, sits in chair* L.)

ERIC. You silly little crosspatch! Who wants to go away?

MARY. (*sobbing*) You do, you do, you do.

ERIC. No, my darling, I don't! I swear I don't!

MARY. (*half smiling through her tears*) So then, we may stay here, may we? (*rises*)

ERIC. Stay! Why of course we may. (*takes her in his arms*) I wouldn't move away from here for worlds!

MARY. Oh, Eric, I suppose being a man you don't understand these things, but your love is my very life!

ERIC. Of course it is, darling. I understand that perfectly.

MARY. And to lose it would be dreadful.

ERIC. Of course—awful!

MARY. But here, quite alone, close together, we can be perfectly happy.

ERIC. Perfectly happy, of course. Sit down there and let us talk sensibly for a minute, if we can. (*makes her sit down in chair* L. *of table, and throws himself back on to the sofa*) Now, what shall we do to-day?

MARY. Yes, what shall we do? Let's try and think of something nice.

ERIC. Nice and new, something we've never done before.

MARY. Nice and new! (*reflects*) Well, darling, see what a lovely morning it is! (*rises and moves up back of him*) Suppose just for a change we went out for a nice long ramble in the garden!

ERIC. Oh, the devil!

MARY. Eric!

ERIC. (C.) A nice long ramble in the garden, although perfectly delightful of course, wouldn't be much of a change, would it, my sweetest love?

MARY. (*going to him, and sits on his* L. *back of sofa*) Oh, Eric, in the old days when first we were married, what nice long rambles we used to have in the dear garden all day long. Do you remember, darling? (*putting her hand on his shoulder*)

ERIC. I hope they'll give us our lunch soon!

MARY. You didn't care about lunch in the dear old days!

ERIC. (*impatiently*) Oh! (*he attempts to rise, she stops him*)

MARY. (*holding him down on the sofa*) No, no, stay still, darling—stay where you are! I want to see you smiling and happy! I will sit at your feet here and read you some of those lovely things you used to read to me—in the dear old days! (*goes to take book on desk*)

ERIC. (*aside*) Verses now! Elegant Extracts! Gad! I know them all by heart.

MARY. (*seating herself at his feet on a footstool*) Thomas Moore——

ERIC. Hinda's Appeal—page 32.

"'Twas ever thus from childhood's hour
I've seen my fondest hopes decay!"

I should like to see the man decay who wrote those verses.

MARY. Perhaps you'd like something more stirring and exciting—Mrs. Hemans——

ERIC. Casabianca—page 48.

"The boy stood on the burning deck"——

Ugh! what a vile boy! I hate him! I don't want to hear anything more about him, darling.

MARY. (*hurt; closing the volume*) Oh, Eric! In the dear old days——

ERIC. Ah! there we are—the dear old days again! (*rises*)

MARY. (*forcing him to reseat himself*) Wait, darling, wait! I think I know what you'll like. (*she goes to the piano, taking book, seats herself on piano stool, and then turns and looks playfully towards* ERIC) Your Majesty is very, very hard to please this morning!

ERIC. (*aside*) A hundred to one she plays the Intermezzo. (*she begins the Intermezzo*) Didn't I tell you so? I'd have bet my head on it. (*aloud*) I say, darling, pray don't!

MARY. (*stopping*) That's too sad, perhaps, dear. Is it?

ERIC. Well, perhaps it is, just a little!

MARY. (*arranging a piece of music on the rest in front of her*) Well, this will be nicer! (*begins to play*)

ERIC. "The Virgin's Prayer!" No, no, darling! I'd sooner die! (*rushes up to piano and takes the piece of music from the rest and throws it aside*)

MARY. (*crossly*) Well, I shall give it up, then! (*she closes the piano with a bang; the china vase rocks, she catches it*) Ah! (*cross up to window front of sofa*)

ERIC. (*he springs to her side, takes the vase roughly from her, and puts it back on the piano*) I do wish you'd be careful, dear! A little more common-sense and less silliness!

MARY. (R.) Oh!

ERIC. (C.) Forgive me, love, I didn't mean to be rude. But you know how much I hold to that vase, and only one left now of the pair!

MARY. (*cross* L.) If I'd broken it you'd have struck me, I suppose.

ERIC. (R.C.) Struck you? I?

MARY. (*to* C.) As you did James yesterday when he broke the other one, poor fellow.

ERIC. Clumsy fool! What if I did box his ears? (*up to window*)

MARY. But to strike a poor fellow! Oh, how cowardly!

ERIC. Poor fellow, indeed! Big lubberly clown! Besides, I didn't hurt him—just boxed his ears!

MARY. You seem to be very fond of that vase. I suppose, of course, it must date from your bachelor days.

ERIC. Well, dear, perhaps it does, but at all events I certainly don't want it broken.

MARY. (*down to sofa,* R. *corner*) Doubtless souvenirs of some horrible flirtation, some dreadful intrigue. Oh, don't think I complain! We shall all have our turn in time!

ERIC. (*coming close to her*) Mary, dearest!

MARY. (*pettishly*) Leave me alone! Don't touch me! (*She seats herself on sofa, and turns her back on him*)

ERIC. (*following her*) My darling!

MARY. (*get* R. *of sofa, turning suddenly round*) What was her name?

ERIC. Dearest, why do you try and pick a quarrel with me?

MARY. As for loving *me*, of course you never did that! You may perhaps, possibly, at one time have thought you did—but I'm not so certain even of that.

ERIC. Mary, how can you?

MARY. (*sitting on buffet*) At all events, six short months were quite long enough to show you your mistake!

ERIC. (*breaking out exasperated*) The devil take it all! You'll drive me mad at last. (*cross* R.)

MARY. (*hiding her face in her hands*) Oh, what a temper! Swearing at me now.

ERIC. (*stamping his foot, cross* L. *down stage*) The devil take it, I say! The devil take it! (MARY *goes* R.)

Enter JAMES *with a card on a salver.*

JAMES. (L., *timidly and from a distance*) Please, sir——

ERIC. (C., *surprised*) Oh, what is it?

JAMES. (*frightened, retreating and holding out salver*) Oh, please, sir, please, sir, it's a gentleman from London!

MARY. (*rising*) What! Somebody daring to intrude!

ERIC. (*to* JAMES, *who flies from him as he approaches, cross to her*) Oh, it can't be! Nobody would dare! What do you mean, James? Come, give me that card. (*crosses* JAMES, *reads card*) "Mr. J. Fortescue!" What, Jack? Is it possible? Show him in at once! (*cross* L., *up stage*)

MARY. (R.C.) Wait, James, wait a minute! (*to* ERIC) Do you're going to receive this man?

ERIC. (C.) Why, of course, love.

MARY. (R.) Oh, very well. Only I thought we had agreed that nobody was to know where we were passing our honeymoon. How did this dreadful man find out where we were?

ERIC. (R.C., *embarrassed*) How should I know? He certainly seems to have found out somehow—what am I to do? What will he think of us if we—if I——

MARY. So you insist upon it. James, show the gentleman in. (R., *severely, and speaking with absurd emphasis*) Show the gentle-man—in! (*sit on sofa*) (*exit* JAMES, L.D.)

ERIC. Jack's the best fellow breathing! You're sure to like him.

MARY. One of your companions in debauchery, I suppose!

ERIC. I'm really very, very angry, of course, that any one should come and intrude upon us and disturb us, my darling, but then what am I to do? It's a dreadful, a terrible bore, but then, after all, Jack is such a capital fellow . . . (*they sit on sofa*)

MARY. But why tell me all this? Have I said anything? Am I reproaching you?

ERIC. (C.) What a wicked little puss you are, to be sure! I had no idea you could be so spiteful. But I say, Mary, you'll make the best of it, won't you, darling? You won't be cross and snappish with my friend, will you?

MARY. Snappish! I! How little do you know me, Eric! Never fear—a woman can smile even with a dagger in her heart.

ERIC. (*trying to take her hand*) That's very clever, but Mary—— (MARY *goes to piano*) (*rushing up to* JACK, *who*

ushered in by JAMES) My dear old Jack! Well, this is a surprise to be sure! How are you, my dear old chap?

JACK. (L.) My dear Eric! How are you? Will you forgive me intruding?

ERIC. (C.) Intruding! Why, you're not intruding, old chap! So you didn't quite forget the exile after all then?

MARY. (*aside*) The exile! Oh!

ERIC. (C.) And yet it is centuries since I left town!

JACK. (L.) I say, old boy, suppose you introduce me to your wife, first of all.

ERIC. (C. *leading* JACK *up to* MARY) Oh, by all means, I forgot! My dear, this is my friend of whom you've so often heard me speak! Mr. Fortescue—the cleverest barrister without a brief in London.

JACK. Oh, I say! (*Bows to* MARY *who returns his bow stiffly and coldly, and then crosses to arm chair and sits. Goes on with her work*)

ERIC. (R.) Of course, old chap, you've come to stay with us some time.

MARY. (*aside*) He actually asks him to stay. (*sits* L.)

JACK. (C.) I shall only stay a few minutes, old fellow. I sha'n't disturb you long. I only came just to ask you to do me a great service. I want you to——

ERIC. (R.) No, no, shut up. Later on—anything you like later on. But I forbid you, positively forbid you, to run away and leave us in this way.

JACK. But I must.

ERIC. You shan't. (*pushes him on to sofa and moves up*) *back of stage*) I'll lock up your traps so that you can't get them. (*cross back to* C.)

JACK. (*speaking to* MARY) But I'm afraid your wife would think——

ERIC. My wife would be delighted. (*cross* C., *aside in low tone to* MARY) Make him stay.

MARY. (L. *above table, bowing, and very coldly to* JACK) I am sure, Mr. Fortescue, I shall only be too happy.

ERIC. So you see, dear old chap, you must stay. You haven't lunched yet, have you?

JACK. (R.) No, but——

ERIC. (C.) Capital! Neither have we, have we, love? Would you mind, my darling, just letting the servants know? I should be so much obliged to you. (MARY *rises with mock docility and resignation; low tone to* MARY, *who retains an icy composure*) Do try and be civil at least, Mary. Tell him it's no trouble. (*puts* JACK *down on sofa*)

MARY. (*rising and moving up slowly*) It's no trouble, Mr. Fortescue, no trouble, I assure you. (*exit* MARY *with much dignity*)

JACK. By Jove, Eric, I congratulate you! What a deuced pretty wife you've got.

ERIC. (*down to him*) Not bad, is she? But I say, old chap, tell me—remember I've been living down here like a hermit—is——

JACK. She had a pot of money, too, didn't she?

ERIC. (*seated*) Yes, not bad! But I say, Jack, tell me the news.

JACK. And then when her uncle dies, she gets a lot more, doesn't she?

ERIC. Oh, yes—a lot then; but I say——

JACK. Is she clever?

ERIC. (R. *of sofa*) A walking encyclopædia—knows everything; quite frightens me.

JACK. (L. *on sofa*) And very amiable, too, I should think, eh?

ERIC. She's like a lamb.

JACK. Well, by Jove, Eric, you *are* lucky. (*rise and cross* L.)

ERIC. (*rise and follow him*) Why, of course I am! Who the deuce said I wasn't? But I say, Jack, have you quite done talking about my wife? Tell me the news. You've come straight from London. And how is George Leslie getting on?

JACK. (L.) He's married.

ERIC. (C.) Married! Gad! Poor chap! who caught him?

JACK. Mrs. Sinclair.

ERIC. Ah! the widow! I remember! Devilish pretty woman, too. And what's Hector Barrington about?

JACK. Married. (*sit* L.)

ERIC. Serve him right, too! Teach him a lesson. But, I say, marriage seems to have broken out like an epidemic amongst you chaps, and been making terrible ravages right and left. (*lowering his voice and speaking mysteriously*) I say, Jack, (*moves up to sofa and sits*) are there any new women about?

JACK. (*horrified*) What?

ERIC. Anything extra special in the burlesque line, you know!

JACK. A newly married man, too!

ERIC. Newly married, indeed? I have had six months of it, thank you. (*cross* R.)

JACK. And a man who, on leaving the church door, ran and hid himself away with his wife in Wales.

ERIC. (L. *going up* R.) That's the very reason perhaps.

JACK. (*cross in to sofa*) And I who hardly dared come to see for fear of intruding, for I can assure you, my dear fellow, that if I hadn't been in need of your help and advice I should never have had the courage to come and disturb you, notwithstanding your pressing letter.

ERIC. Hush, not a word about that letter! Do you hear —my wife must never suspect you've come here because I begged you to.

JACK. (C.) Eric, old chap, I'm afraid you don't love your wife. (*rise and stand* R.C.)

ERIC. (*rising* L.) Hush, hush! Don't talk so loud. Of course I love her! Love her? Why, what the devil have I been doing all these last six months but love her? She's an angel, I tell you, simply an angel. (*sit again*) (*lowering his voice, sighing*) I say, Jack, speaking of angels, have you seen Mrs. Lascelles lately?

JACK. (*on sofa*) What do you say?

ERIC. I swear these unmarried men are really too much! You seem to think that getting married is like becoming a monk! Don't be a drivelling idiot, old boy. (*rises*) For you, of all people in the world, to put on this air of virtuous indignation before me! That is really too good. I say, do you remember—— (*breaks off*) I say, Jack, I want to go to town with you, if only for just one week. (*kneeling at sofa*)

JACK. (*rise*) But—— (*business*)

ERIC. (*cross* L.) No buts, old chap. I must. I really must have a breath of fresh London air—for six months I've breathed nothing but this stifling country atmosphere! I'm choking, old chap, simply choking! Gasping for the fine air of Piccadilly.

JACK. (R.) Well, by Jove, I can't get over this! What can it mean?

ERIC. (L.C. *taking his hand*) My dear Jack, don't you puzzle your thick head about it. I'm a married man, that's a fact I can't deny. But don't you do it, Jack! Never! Never! Never!

JACK. (R.) But what extraordinary advice for you to——

ERIC. There it is. Don't you get married. *Experto crede*; here I've been down in the country alone with my wife since our wedding day. We love each other just as much now as we did at the beginning, rather more if anything, and so we go on loving and loving and loving, and loving and loving! And billing and cooing, and billing and cooing, and billing and cooing! My dear chap, believe me there's not a pair of turtle doves or love birds in it with us—they must one and all of them take a back perch.

JACK. But perhaps you've killed the goose that laid the golden eggs.

ERIC. Perhaps, Jack! Take me back to town.

JACK. But won't she be very much surprised?

ERIC. We'll talk it over again after lunch! (*pretending to suddenly perceive his wife*) Ah, there you are, my darling!

MARY. (*up* L. *coldly*) The luncheon is on the table! (*severely*)

ERIC. (C.) On the table? Where? In that gloomy dining-room? Oh no, dear; that will never do. Make James wheel the table in here as he always does, you know, for us.

MARY. (L. *low tone to* ERIC) As he does for *us!* Oh, Eric would *that* be right?

ERIC. (C., *pretending not to understand*) Jack—Mr Fortescue, I mean—doesn't mind. Do you, old chap? It's more cheerful here, don't you think so?

JACK. (R.) Just as you please. I don't care.

ERIC. (*cross*) Well, then, darling, make James bring the table in here.

MARY. (*aside*) What desecration! Our own, own, own little nest.

ERIC. And, I say, some soda water and the brandy! He likes a B. and S. after lunch, I remember.

MARY *motions to* JAMES, *who is outside, and who rolls in the table with the lunch on it*

JACK. (R., *aside to* ERIC) Gad! You are lucky, Eric, to have got such a charming wife!

ERIC. (C.) I never said I wasn't, did I? (*clapping him on the back; seeing the table ready*) Ah, there we are! You sit down there, Jack.

MARY. (*aside, seeing the chair he indicates to* JACK) Oh!

ERIC. My wife embroidered that cushion herself!

MARY. (*aside*) His own, own, own chair! (*they seat themselves; they dismiss servants*)

ERIC. (C., *behind table*) Let's "fall to" as we used to say, Jack, don't you remember, in the good old days?

MARY. (L., *aside*) The good old days! Oh!

ERIC. (C. *to* MARY, *seeing that she is hurt*) The old days, I mean, dear, of course, not good, anything but good in fact—bad old days—horrible old days. (*to* JACK) I say, try the hock—you used to like hock, I remember. (*pours out*)

JACK. (R., *stopping him*) Gently—gently!

ERIC. (*eating*) You musn't be surprised to find me a perfect savage. Millions of miles from London—in darkest Wales in fact! Six months! Six whole months! Think

of it, old chap! (*putting his hand caressingly on that of* MARY) Six most delightful months, of course, darling. They ought to count double—that is to say—of course I mean—— (*to* JACK) But you're not drinking. (*pours out*)

JACK. (R., *stopping him*) Gently—gently!

ERIC. (C.) You're not eating anything, Mary.

MARY. (L.) I'm not hungry.

JACK. I hope you're not feeling unwell, Mrs. Verner?

ERIC. Oh, no! It's nothing. She never has any appetite! She could live on air, I really believe. What do women live on after all? Sentiment, I think. Try some of that pudding, Jack; my wife made it with her own hands this morning—she did indeed.

MARY. (*aside*) Oh, what sacrilege! The pudding I made for him! His own, own, own pudding!

JACK. Cooking has become quite a fashionable amusement with ladies lately.

ERIC. Amusement! It isn't amusement with my wife, it's business. Why, she often insists on even cooking the whole dinner for me! I say, Jack, speaking of dinners, do you remember that delightful little dinner at Leicester Square? —(JACK *pushes him with his foot under the table. Business*) Hum! ah!—yes—but I say, you're not drinking!

MARY. (*to* ERIC) And where was that delightful dinner, may I ask?

ERIC. (*pointing to* JACK) At his aunt's, darling—she lived in Leicester-square. His dear old maiden aunt's.

JACK. } (*aside*) Oh!
MARY. }

ERIC. (*aside*) Had to get out of it somehow.

MARY. (*to* JACK) So it was at your aunt's?

JACK. Yes, Mrs. Verner—yes—ah!

ERIC. Poor woman, she's dead now. Such a pity, too! Such a delightful woman—you would have liked her so much, Mary—full of fun, wasn't she Jack?

JACK. Yes—ah yes.

MARY. (*aside*) It was some low, horrible creature, I'm sure!

ERIC. (*to* JACK) Have you heard anything about Percy—Percy Maitland, I mean, who went to Ceylon to plant coffee?

JACK. Yes, I had a letter from him the other day. He's married!

ERIC. What? Percy, too—married? Silly ass! Good heavens! (*changing his tone suddenly*) Quite right, too, of course, sensible man! Every man who isn't married already ought to get married and at once. So say I! One can't

remain single for ever! All good things come to an end; and sooner or later the halter will be slipped round your neck.

MARY. (*aside*) The halter!

JACK. I quite agree with you, Eric, and, to tell you the truth, it's about getting married that I've come down here to see you.

ERIC. Not yourself, surely

JACK. Yes, my dear fellow, myself.

ERIC. Jack, you must be mad.

MARY. (*shocked, to* ERIC) Mad?

JACK. And my happiness depends in a great measure on you, and that's indeed my only excuse for coming down here and intruding on you. Your widowed cousin, Lady Vansittart——

MARY. Oh, so it's dear cousin Nelly, is it, Mr. Fortescue? I am so glad.

JACK. Yes, Mrs. Verner, it is she, it is Lady Vansittart I would ask to be my wife, or rather whom I would like somebody else to ask for me. You see, Mrs. Verner, so much is at stake when a man offers himself. A rejected suitor cuts a very sorry figure. Suppose a third party, some one who has influence with the lady—I think I remember you told me you had great influence with your cousin, Eric. (ERIC *nods*)

MARY. Of course he has. Lady Vansittart is like his sister.

JACK. So I thought. Well, then, it occurred to me that if he would only just write her a letter and tell her that I was going to propose to her, but that he thought it would be a kind and friendly thing to find out beforehand what chance there was of my being accepted. Would you mind doing it to-day? I have come down here determined to know my fate before I return to town. If you'd only write the letter now, your groom could ride over with it and wait for an answer.

MARY. Dear, darling Nelly! Come, Eric, dear, write at once. Don't lose a moment.

ERIC. (*to* MARY) Wait a minute. Don't be in such a tearing hurry love! (*to* JACK) Oh John, John—has it really come to this at last?

MARY. (*drily*) Well, Eric, I must say that's a strange way of encouraging your friend.

ERIC. You don't understand me, love. If there were two such precious darlings as you in the world, of course I should say to him marry at once—don't lose a minute! But, unfortunately, there is only one such treasure, and I have got

it! (*to* JACK) Oh, you unhappy and misguided creature, so you want to get married, do you? Whatever made you think of that?

JACK. I am in love!

ERIC. In love! He calls that a reason.

MARY. (*ironically to* JACK) It is not possible, Mr. Fortescue, that you can be so old-fashioned as to imagine love to be compatible with marriage. No wonder my husband is shocked and astonished!

ERIC. You don't understand, I tell you. With you and me it's all very well, but with him it's a totally different thing. I was always quiet and well behaved, but he's a rake —a regular Don Juan!

JACK. Oh, I say! (*rises*) (ERIC *kicks him under table*)

MARY. (*to* JACK) Oh, never mind, Mr. Fortescue! Of course I don't believe a word of it. (*rises from table*) Forgive me if I leave you. I hardly feel myself this morning. (*is going out*) (*low tone*) You monster! How dare you speak to me!

ERIC. (*following her, and in low tone*) You're not cross with me, are you? (MARY *exits* L.U.D.)

ERIC. (*up* L., *looking at* JACK) There you see! The delights of matrimony!

JACK. Oh, I say, I am so sorry! (*sits* R. *of table again*)

ERIC. Sorry—what about? On the contrary take a lesson! Read, mark, learn, and inwardly digest. So you want to get married, do you? And for love too! What are you thinking about? Listen to me, my dear chap: *experto credo*—love—— By the way, have you got a weed? (JACK *gives him a cigar*) Thanks! (*lighting cigar*) My wife doesn't like the smell of tobacco, so for the last six months, I give you my word of honour, I haven't even lit a cigarette! Of course I can do as I like, but she would think me a brute, and so I desist! That's the sort of discipline we husbands have to learn. That's an example of love in marriage. (*blowing out the smoke*) By Jove, this is a good weed, Jack. (*sits* L. *of table*)

JACK. But won't your wife smell the smoke, Eric?

ERIC. Oh, yes, of course! (*pours out brandy and opens soda*) But I shall say it was you! Just as I shall say it was you who drank this brandy and soda! Observe I use your glass! I've given up brandies and sodas! Never look at such a thing! Husbands never should! Marriage teaches truthful men how to make Ananias blush with envy!

JACK. After all, it's only in marriage that men really find happiness and contentment!

ERIC. By Jove! I really believe all you single men have taken leave of your senses! Why my poor dear, deluded miserable lovesick, idiotic John Fortescue, don't you understand that this very happiness and contentment of which you in your ignorance speak so enthusiastically is the very devil! Just look at me for example, here I am entirely annihilated, absorbed, taken possession of completely by my dear, darling loving wife! There's nothing left of me—I've ceased to exist—she's everywhere—I'm nowhere! That cushion was embroidered by her; that armchair was embroidered by her; that footstool was embroidered by her; that table cover was embroidered by her; those slippers were embroidered by her; everything so far as the eye can reach is the work of her hands—even the braces I'm wearing now—you wouldn't believe it, but it's a fact—even these braces are embroidered by her! She's everywhere and has quite wiped me out of existence, for when I sit down I sit on her chair, when I stand up I stand in her slippers; when I eat I eat what she's cooked, when I drink I drink what she's prepared—she does everything, my dear fellow—everything!

JACK. But does she do everything badly?

ERIC. Badly! Gad! No! That's the worst of it! She does everything perfectly. Didn't I tell you she was an angel! So monotonously perfect as to be absolutely exasperating. I'm too happy by half, that's the truth of it! It isn't natural. Mark my words! Jack, if I don't look out and check the disease in time, I shall die of acute contentment or become completely paralysed with happiness. But, Jack, it's perhaps not too late yet to save me, and to save yourself. Let us fly from it, Jack, while there is time, and we have still strength to fly. Come! Let us go to London, and visit all the old haunts again and see all the old faces! And Mrs. Lascelles! Gad! Think of the delight of seeing her again, Jack! I was awfully spoony on that woman! Really I was, and if there hadn't been something rather shaky and mysterious about her past, which she never could explain satisfactorily, not being the heroine of a modern drama, I really believe I should have married her!

JACK. Heavens! Hush, your wife will hear you! (*crossing* L.)

ERIC. Oh, it makes no difference! I shall say it was you. (*pointing to vase, crossing to* R.) Do you see that vase, Jack? Mrs. Lascelles gave me that. There were a pair of them, one's broken. Invent some respectable lie and take me back with you to town just for a few days.

JACK. (c) Well, Eric, all I can say is that, although

according to you it may be an act of madness to marry a beautiful woman whom one loves, that act of madness I frankly admit I am most anxious to commit, for I certainly prefer running the risk of being suffocated with wedded happiness to the certainty of being starved to death with single blessedness. (*forcing him over* L.)

ERIC. But have you quite made up your mind?

JACK. Why, of course I have!

ERIC. Notwithstanding all I've said to you.

JACK. I haven't even listened to your folly. You're cracked!

ERIC. (*going, as if to go out*) Very well, then! I'll go and write this letter! (*coming back*) But I tell you very plainly that I wash my hands of the consequences.

JACK. (C.) All right. (ERIC *goes to go out and then comes back again*)

ERIC. (L.) And I shall butter you up tremendously, and tell all sorts of flattering lies about you. (ERIC *goes to go out and then comes back again*) I'll tell her that you're the very husband for her, and she's sure to marry you! (L., *menacing tone, standing on threshold of door*) And your blood be on your own head! Mark my words, she's sure to marry you, and as she's another angel like my wife, you too will be perfectly happy! Perfectly happy, do you hear? Perfectly happy! Gad! Then, old man, you'll see how you like it! (*exit* L.D. *through window*; JACK *looks after him and then strolls to sofa and sits down. Servants remove luncheon table*)

JACK. What folly he talks to be sure! (*pause*) Too happy by half! What an absurd expression! (*pause; he walks up and down, and then stops*) I shall die of acute contentment or become completely paralysed with happiness—those were his very words! How very dreadful! I wonder if there can be any possible shadow of truth in them after all, I wonder!

Enter MARY, L.

MARY. (L.C.) I am glad, Mr. Fortescue, to find you alone.

JACK. (R.C.) Ah, my dear Mrs. Verner, I hope you are feeling better.

MARY. (*abruptly*) You are a barrister, are you not, Mr. Fortescue?

JACK. (*astonished*) Yes.

MARY. Kindly sit down please. (*puts chair*) I want to consult you professionally.

JACK. Professionally! Good gracious, Mrs. Verner, what about?

MARY. Give me your most solemn word of honour as a

gentleman not to breathe a word of what I'm going to say to you to anyone.

JACK. I promise. Pray tell me what it is.

MARY. (*sitting to c.; firmly and with force*) I must and shall get a divorce from my husband, and want you to tell me how to get it.

JACK. But—but—Mrs. Verner, on what grounds, may I ask?

MARY. (*pointing to door*) I was in there, and heard all that he said to you just now.

JACK. (*aside*) By Jove! that's awkward! (*aloud*) But, my dear Mrs. Verner, surely for a few idle, thoughtless words spoken in jest——

MARY. Oh, I can quite understand your looking at his monstrous conduct as a jest—I suppose all men are the same. But I look upon it as a base betrayal of my love, conduct so dreadful as to have entirely destroyed all our future, and made even the most remote chance of happiness quite impossible for ever more.

JACK. But don't you think, Mrs. Verner, that perhaps you're a little exaggerating?

MARY. It was, of course, a terrible blow at first, but I at least see my way clearly before me now. I must get a divorce, and I shall.

JACK. But, my dear Mrs. Verner—you've got no ground for a divorce. It's hard enough for a man to get a divorce from his wife, but it's harder still for a wife to get a divorce from her husband.

MARY. (*bitterly*) As the men make the laws, of course they make them for themselves. But there must be some grounds on which a woman can get a divorce from her husband, and I want you to tell me, Mr. Fortescue, what they are.

JACK. Well, first of all there is cruelty, of course.

MARY. Oh, cruelty. He must beat me, or kick me, you mean.

JACK. Oh, no, no—legal cruelty need not be anything so violent as that, Mrs. Verner, but it's useless—really useless—to go any further into the matter, for even if Eric had been guilty of legal cruelty to you—and I feel sure he has not—that by itself would not be enough.

MARY. Not enough? Why, what do those dreadful Judges require, I should like to know?

JACK. It's not the Judge, Mrs. Verner, it's the law. I don't suppose you understand.

MARY. Oh, yes I do. I understand perfectly. I suppose it means when a man leaves his wife for some horrible, low, bad woman who drinks.

JACK. Well, yes—something of that kind. Now you can't surely say Eric has been guilty of any such crime as that, Mrs. Verner, can you?

MARY. Well, no, not exactly, not yet! We've been down here ever since we were married, and he's had no chance! That's the only thing that's prevented him, I feel sure! I know very well that he is quite wicked enough. I am ready to swear that before the Judge, if that would satisfy him.

JACK. I'm afraid that wouldn't be enough, Mrs. Verner.

MARY. So then because he hasn't as yet gone to live with a bad woman who drinks, I am to be forced to live with him until he does do so. (*stamping her foot; rising and walks up and down*) I shan't live with him! I don't care what the law says! You must find me some way out of it, Mr. Fortescue. You're a barrister, you make the laws, you can surely make the law agreeable and obliging just for once! But law or no law, I shan't live with him! I shall separate from him!

JACK. Ah, a judicial separation, Mrs. Verner, much easier to get.

MARY. Oh, why didn't you say so? Please get me one at once.

JACK. (R.) But even for a judicial separation you will have to prove cruelty.

MARY. (L.) So to be able to separate at all he must beat me or kick me?

JACK. Yes, a mere blow—the most trifling blow——

MARY. But a box on the ear wouldn't be enough, would it?

JACK. Certainly it would be enough, but, of course, there would have to be a witness to the assault. (L.C.) I am sorry, Mrs. Verner, that it has not been in my power to be of greater service to you. (*putting chair* R.)

MARY. Thank you. (*up* C.) You have done all I wanted—more perhaps than you imagine. You have shown me how to regain my liberty. (L C.) And in the meantime I rely upon your word of honour to say nothing to anyone.

JACK. Why, of course, Mrs. Verner—but——

MARY. Well, even if you do choose to break your word of honour and perjure yourself, it won't make any difference! You can't possibly stop me from doing what I mean to do! (*exit* MARY, L.U.D.)

JACK. (*alone, greatly excited*) She really seems to be in earnest. So angels can be obstinate and pigheaded just like ordinary women, it seems! Well, I think on the whole I'd better perhaps wait a little before taking the fatal and final

leap. Marriage after all is a very serious matter—more serious than I thought. (*cross* R.)

Enter ERIC, *he has changed his dressing suit for a morning suit.*

ERIC. (L.C., *tragically*) 'Tis done! The letter, the fatal letter, is written, and Evans, my coachman, is at this very moment hurriedly saddling the bay horse to dash off to my cousin's with it!

JACK. (R.C.) Well—ahem! I say, Eric—dear old chap—if it's just the same to you—you might—don't you know—just—ah—tell Evans he needn't—ah—be in ah—such a tremendous hurry—ah—about saddling—ah—the bay—ah—mare!

ERIC. What!

JACK. (R.C.) The truth of the matter is, dear old boy, I've thought the matter over—and——

ERIC. (L.C., *seizing him by the hands*) Saved! Saved! A miracle of grace—reprieved on the scaffold!

Between the stirrup and the ground
He mercy sought and mercy found.

JACK. I say! Look out—your wife will hear you!

ERIC. It doesn't matter—I shall say it was you. (*joyfully*) So we shall be able to get off to town to-night, shan't we? I know the trains by heart. There's one leaves at 7.45.

JACK. (*pushing him towards door*) All right, all right! We'll talk of that later—now go and stop Evans.

ERIC. I must see Mrs. Lascelles within the next twenty-four hours or I shall go mad.

JACK. (R., *suddenly remembering*) Mrs. Lascelles! Oh, ah, I remember now—Avenue-road! By Jove! (*searches in his pocket*) I'd quite forgotten, I've some news for you!

ERIC. (*sadly and sentimentally*) You may say what you like, but women are right after all! We men are horribly ungrateful, heartless brutes! How she must have suffered, poor little woman! I broke with her so abruptly.

JACK. (*giving him a letter*) Ah, here it is! Read it! Where do you suppose she is, Mrs. Lascelles, this poor, abandoned, and desolate Dido, whom you so cruelly deserted? At Monte Carlo, old chap. She bolted from London with that tenor fellow a week after your marriage.

ERIC. Well, by Jove! That beats the devil! (*reads letter*)

JACK. Do go and stop Evans, and then when you come back we'll talk all this over. Don't be long. I'll wait for you here.

ERIC. Oh, oh, oh, oh! (JACK *pushes him out*)

JACK. (*aside, seeing* MARY *coming in as* ERIC *exits*) Gad! She's come too soon! There'll be the devil to pay now!

MARY. (*to herself,* R.) He—he—has just left you, has he not?

JACK. Yes, but he's coming back at once.

MARY. Ah, so much the better! Now, will you do me a great favour, Mr. Fortescue—a very great favour?

JACK. (L., *taking her hand*) Ah, Mrs. Verner, you know I will. (MARY *shakes his hand*)

MARY. (*pushing open door to* L.1.E.) Go in there, and don't stir, no matter what loud voices you may hear! Don't move until—what shall I say? Oh, yes; don't move until you hear a chair fall; but then, when you hear that, come rushing in at once. (*pushing him to* L.2.E.)

JACK. What are you going to do?

MARY. That's my business and not yours—Hark! I hear him coming! Go in there quickly and wait for the signal—the chair falling, and then come rushing out. Don't forget! Not another word. (*she pushes* JACK *into side room, closes the door, takes a book from the table and seats herself on chair at piano.*

MARY. (*to herself*) And now we shall see! I only hope it won't hurt much!

Enter ERIC.

ERIC. (*agitated, does not see* MARY) And with a beastly tenor too! Oh! Oh! Oh! (*seats himself to left of* L.C. *table*)

MARY. (R., *aside*) There's something annoying him evidently! So much the better! I shall succeed all the quicker.

ERIC. (*perceiving her*) Ah! there you are, Mary. What has become of Jack Fortescue? (*sitting* C.)

MARY. (*aside*) Courage! Courage! (*aloud, very tartly*) I'm sure I have not the faintest idea.

ERIC. And to think of having forgotten me—(*to himself*) —so soon. Women are horribly ungrateful, heartless creatures. (*aloud, to* MARY) He has gone to write his letters, I suppose?

MARY. (*tartly*) I am sure I don't know, and I am sure I don't care! (*aside*) I'm just a little bit afraid though, all the same.

ERIC. (*dreaming and to himself*) How extraordinary that this news should upset me so! It isn't that I ever really loved her! I suppose after all it's merely wounded vanity.

MARY. (*aside, observing him*) How quiet he is! This will never do! Luckily I've a good memory and remember just what exasperates him the most! Well—I'll wake him up.

Ahem! (*reads*) "Elegant Extracts—Cassabianca—by Mrs. Hemans, page 48. (*then she reads hurriedly, not looking at the book which she holds open in her hand, but staring all the time at her husband, without emphasis, sentiment, or even paying attention to punctuation*)

"The boy stood on the burning deck,
Whence all but he had fled . . ."

(*she pauses, looking at* ERIC, *who remains impassable*) (*aside*) Not a word, I must try again! (*begins again, even more vigorously and discordantly*)

"The boy stood on the burning deck,
Whence all but he had fled . . ."

ERIC. (*murmuring to himself*) What a brave lad! Alone on that burning deck! Think of it! "Whence all but he had fled . . ." I should like to have known that boy.

MARY. (*exasperated aside*) Oh! (*aloud*) Thomas Moore—Hinda's Appeal!! (*begins reading aloud in the same horrible fashion*)

"'Twas ever thus from childhood's hour
I've seen my fondest hopes decay,
I never loved a tree or flower——"

ERIC. (*breaking in*) "But 'twas the first to fade away." How beautiful that is! How true! (*sentimentally*)

"I never nursed a dear gazelle
To glad me with its soft black eye,
But when it came to know me well
And love me—it was sure to die."

sighs aside) Mrs. Lascelles had soft black eyes.

"But when it came to know me well
And love me—it was sure to die!"

No, not die! Dash it! But bolt with a beggarly tenor!

MARY. (*rises and goes to piano*) I never knew the "Virgin's Prayer" fail yet! (*begins playing, loudly, harshly out of tune, thumping in fact on the piano.* ERIC *remains immersed in sentimental reverie.* MARY *stops and turns and looks at him. He says nothing and she begins again, louder and more discordantly than before, and then stops and turns and looks at him*)

ERIC. (*sighing*) That's not a very pretty air, but there's a certain sweetness about it after all. (*begins humming a bar*) Tum-ti, tum-ti tee—

MARY. (*astonished, aside*) Well, perhaps the Intermezzo will do it. (*begins playing the Intermezzo loudly and discordantly*)

ERIC. (C., *complacently, and beating time with his hand*) Capital, Mary, capital. (MARY *very angry, but continuing to play furiously*)

ERIC. (*sadly to himself aside*) Ah, the last time I heard that how well I remember it—just a year ago. We dined together at Verrey's, and I took her to Her Majesty's afterwards in a box. I remember the very dress she wore that night—pale green—and how lovely she looked! I remember I held her hand in mine while they sang that lovely intermezzo—Calvé sang and- (*jumping up*) Damn it! Now I think of it, that brutal tenor sang too! (*walks about agitated; she plays more loudly and violently and discordantly than ever*)

MARY. Now's the time! Now I must do it! Now or never! (*she stops playing suddenly, gets up, seizes the china vase and dashes it to the ground, breaking it to atoms*)

ERIC. (*rushing up to her*) Mary!

MARY. (*instinctively drawing back terrified*) Oh!

ERIC. (*kicking away the fragments of the vase*) Did that beastly pot fall and frighten you? (*taking her in his arms*) My own sweet darling, my precious pet!

MARY. (*abruptly, and with her face close to him*) Say that to Mrs. Lascelles, whom are you going back to London to-night to see?

ERIC. (*aside*) Gad, I'm caught!

MARY. Oh, you needn't deny it! (*pointing to door*) I was in there, and heard all you said to your friend.

ERIC. Oh, so you were in there, were you?

MARY. Yes, sir, I was, and I heard everything. (*stamping her foot*) All is over between us, do you understand?—all entirely, and for ever. And I am not in the least bit sorry myself (*crying*)—not the least bit, although you may think I am because I'm crying, but I'm really very, very glad, and I'm only crying because I'm nervous, and you frighten me, and they're not tears of love at all, they're tears of hatred.

ERIC. (*bursting out laughing*) So she believed it! That's really too good. Of course I knew you were in the next room all the time, and could hear every word that we said, and that's the very reason why I talked as I did. It was a plan concocted beforehand, to cure you of your silly jealousy.

It was Jack's idea ; it was all his doing. You must blame him. (*he tries to take her hand*)

MARY. (*drawing her hand away*) I hope you don't expect me to believe such a bare-faced falsehood as that. I'm not such an idiot.

ERIC. (*laughing still more heartily*) And she actually thought this vase was a present from somebody I cared for. By Jove ! That's too good ! (*kicks the fragments*) Beastly, vulgar, common, hideous pot ! I'm delighted it's broken at last ! I hated it ! It wasn't a present ! I bought it ! Ten shillings the pair—dear at that ! Vulgar, horrid things ! Jack put me up to making you believe they were presents —it was Jack's idea !

MARY. (*nodding her head wisely*) But you had arranged to go to town to see this horrible Mrs. Lascelles.

ERIC. How could I possibly be going to see her in London when she is at Monte Carlo, as you will see by that letter. (*gives her letter*)

MARY. But you were, and are, in love with this Mrs. Lascelles—that you can't deny.

ERIC. Yes, I can—it's Jack that's spooney on her—I never even liked her—it was always Jack. Isn't that addressed to Jack ? What plainer proof would you have than that—and see the Monte Carlo postmark !

MARY. (*hesitating*) Oh, Eric, was it really then all along——

ERIC. All along, Jack—my darling—Jack Fortescue from beginning to end. (MARY *resting on the shoulder of her husband*)

MARY. Oh Eric, Eric ! I have been so unhappy, darling.

ERIC. (R.C., *aside*) Well, I can't say I've been on a bed of roses during the last few minutes. (*aloud* ; *gets round* R. *and back of sofa*)

MARY. Will you forgive me, darling ?

ERIC. No, no ! darling, it's you who must forgive me !

MARY. Dearest Eric ! My love ! My life ! (*they embrace rapturously and in doing so upset the tapestry chair*)

JACK. (*rushing in between them*) Hold ! Madman !

ERIC. (R. *aside*) Gad ! He doesn't know the yarns I've been spinning. He'll put his foot in it and upset the whole applecart. (*aloud*) Well, Jack, old boy, the joke's all over now.

JACK. (C.) The joke ?

ERIC. Yes—the joke—what you suggested, don't you know. (R.) Thoroughly successful ! It's taught both my wife and myself a lesson which I daresay we shall neither of us forget in a hurry—not a word. (ERIC *nudges him*)

MARY. (L., *low tone to* JACK) Don't tell him what I asked you about just now.

JACK. Well, by Jove, I really don't know which way to turn!

ERIC. (C. *to* MARY) Turn that way. (*moving him over* R.) But all's well that ends well, isn't it darling?

MARY. Yes, Eric.

JACK. (*astonished and taking her hand*) But I don't quite—— (*crosses* C.)

ERIC. (*taking his other hand*) Thanks, old boy, thanks.

MARY. And I must say Mr. Fortescue, that you know how to tell fibs in the most astonishingly plausible fashion.

ERIC. (L.) Yes, I will say that for dear old Jack! He's a first-rate liar!

JACK. (C.) I?

ERIC. Why, there's no more need of mystery now, so why not admit the truth, Jack—that you're the champion, the representative liar of the kingdom! (*low tone to* Jack) Shut up!

Enter JAMES, L.U.E., *with small silver salver.*

JAMES. Please, mum, Evans is waiting for that letter he's to take to Vansittart Park.

JACL. Oh, yes, let him take it, Eric.

MARY. Wait a minute—do you really really love her, Mr. Fortescue?

JACK. I do—on my honour as a gentleman.

MARY. (*showing his letter,* ERIC *takes it*) Well, and how about Mrs. Lascelles?

JACK. What!

ERIC. (*hurriedly*) Oh, that's all over now. (*cross to* JACK)

JACK. (*aside to* ERIC) I say.

ERIC. (R.C., *aside to* JACK) Shut up!

MARY. (L.C.) Is it really quite all over?

ERIC. Entirely over! A thing dead and done with.

JACK. I really must——

ERIC. (*aside to him*) Shut up!

MARY. I must have his promise.

JACK. But——

ERIC. (*aside to him*) Shut up! (*aloud to* MARY) I'll give it to you, darling, in his name.

MARY. Very well then, that will do! Tell Evans to take that. (*exit* JAMES)

ERIC. (*to* JACK) There, just see how good she is! What an angel! She's forgiven you, Jack!

MARY. (*back from* JAMES *to* ERIC) Eric, let us go back to

town. I understand what you meant just now by saying that you were too happy by half.

ERIC. That was all a joke.

MARY. Never mind, love, there was some truth in it perhaps after all, and our real happiness is too precious darling, isn't it, for us to risk it in this silly way? Besides I shall be perfectly happy and content in town now—shan't be jealous any more, (*turning to* JACK) thanks to Mr Fortescue.

JACK. But I was going to——

ERIC. (*aside to him*) Shut up!

CURTAIN.

JACK. ERIC. MARY.

NOTICE.

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2. It is no defence that the performance was in aid of charity or by amateurs.

In the case of Byron v. Finch, tried before Theobald Purcell, Esq., County Court Judge at Limerick, in January, 1880, Mr. Connolly for the defence said:—"Was not the performance in aid of Barrington's Hospital? Mr. Byron wants to prevent us from being charitable here." The Judge said "There is no use in these observations, Mr. Connolly. If the Histrionic Society want to be charitable they cannot be so at Mr. Byron's expense." And in the case of French v. Styles, tried at the Bloomsbury County Court, London, in February, 1881, the defendant contended "that as he had not been paid for his services, and the performance was for the benefit of another member of the Club, he was not liable." The Judge, Francis Bacon, Esq., said "The law was very clear, and the defendant was liable."

3. It is immaterial where the performance takes place.

"What is said by all the Judges just comes to this, that the very first time you use a place for the performance of a dramatic piece, that constitutes the place then for the first time a 'Place of Dramatic Entertainment.' 'Palmer v. Brassington.'" Judgment of Thomas Ellison, Esq., Judge of the County Court of Yorkshire, holden at Sheffield. "The use for the time in question, and not for a former time, is the essential fact. 'Russell v. Smith,' 12 Q. B., N.S., 217."

4. It is no defence that money was not taken.

"Although in the case of 'Russell v. Smith,' reference was made to the fact that no charge was made at the door, that was no element at all in considering the question whether a place is a place of Dramatic Entertainment. 'Palmer v. Brassington.'"

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5. Performances by Private Clubs.

"In the action French v. Theobalds and others, judgment was given in the Queen's Bench Division for separate penalties and for costs against the President and Secretary respectively of a Club when a dramatic piece was performed to an audience composed of members, and although no charge was made for admission, the subscription of membership was held to be the consideration for admission."

6. The fee must be paid prior to performance.

In the case of French v. Dye, heard at the Camberwell County Court, the defendant contended that he had tendered the fee after the performance, but that the plaintiff had refused to accept it. The Judge said that the law clearly stated that consent in writing of the Author or Proprietor must be first had and obtained, and gave judgment for the plaintiff for the full penalty and costs.

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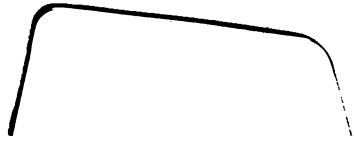

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